

**DETAILED ACTION**

1. The Amendment received on March 17, 2008 has been entered into the record.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney David Burse on March 25, 2008. Specifically, **claims 26 and 42** will be amended. See attached PTOL-413B.

The Amended claims are as follows:

26. (Currently Amended) The system of claim 25, wherein the [[[a]]] first array of LEDs are formed on a first substrate, and the second array of LEDs are formed on a second substrate.

42. (Currently Amended) An optical instrument lighting system ~~[of claim 29]~~ for illuminating a biological sample, the system comprising an LED array, the LED array comprising:

a substrate;

a first narrow band wavelength LED consisting of a first die attached to the substrate;

a second narrow band wavelength LED consisting of a second die attached to the substrate, the first narrowband wavelength different from the second narrowband wavelength, the first and second dies attached side-by-side to the substrate such the first and second LEDs fall within a 4 mm diameter; and

a plurality of lenses, including a first lens positioned over the first die, and a second lens positioned over the second die,

wherein the lighting system illuminates the sample using light emitted from one or both of the first and second LEDs, without the light passing through a bandwidth filter,

wherein the first and second dies are embedded in a potting material, and wherein the first and second lenses are attached to the potting material.

*Allowable Subject Matter*

3. **Claims 16, 19, 20, 22-26, 28, and 42** are allowed.

The following is an examiner's statement of reasons for allowance:

As to **claim 16**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in an optical instrument lighting system the first and second lenses are attached to the potting material, in combination with the rest of the limitations of **claims 16-26 and 28**.

As to **claim 42**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in an optical instrument lighting system the first and second lenses are attached to the potting material, in combination with the rest of the limitations of **claim 42**.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Fax/Telephone Numbers***

If the applicant wishes to send a fax dealing with either a proposed amendment or a discussion with a phone interview, then the fax should:

1) Contain either a statement "DRAFT" or "PROPOSED AMENDMENT" on the fax cover sheet; and

2) Should be unsigned by the attorney or agent.

This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

*Papers related to the application may be submitted to Group 2800 by Fax transmission. Papers should be faxed to Group 2800 via the PTO Fax machine located in Crystal Plaza 4. The form of such papers must conform to the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Machine number is: (571) 273-8300*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gordon J. Stock whose telephone number is (571) 272-2431.

The examiner can normally be reached on Monday-Friday, 8:00 a.m. - 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr., can be reached at 571-272-2800 ext 77.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private Pair system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/G. J. S./

GJS

Examiner, Art Unit 2877

/Gregory J. Toatley, Jr./

Supervisory Patent Examiner, Art Unit 2877

30 March 2008